

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 19, 2006

DIVISION ONE

Court convened at 9:00 a.m.

Present: Spencer, P.J., Vogel, J., Mallano, J., Rothschild, J. and P. Gonzalez, Deputy Clerk.

B182118 Brooks v. County of Los Angeles

Argument waived, cause submitted.

B179370 Harris et al. v. Verizon Communications, Inc., et al.

Matter continued to May 23, 2006.

B178729 Gottlieb v. Kest

Matter continued to May 24, 2006.

B180152 Joe Zelman et al.
v.
Colonial Penn Insurance Co.

Merits:

Steven Zelig appearing for appellants and there being no appearance for respondent, the matter is continued to second call of the calendar.

DIVISION ONE (Continued)

B177702 E&L Legal & Tax Services
 v.
 City of La Puente

Merits:

Argued by Paul Lipman for respondent and a waiver of appearance having been filed by Esperanza Bada for appellant. Cause submitted.

Vogel, J., leaves the bench.

B181675 Lantz Security Systems, Inc.
 v.
 Anderson-Barrows Metals Corp.

Merits:

Argued by Stuart B. Esner for appellant and by James O. Miller for respondent. Cause submitted.

Vogel, J., returns to the bench.

Mallano, J., leaves the bench.

B178071 Richard Grossman
 v.
 Deborah Cozen

Merits:

Argued by Norman Pine for appellant and by J. Patrick Fleming for respondent. Cause submitted.

Mallano, J., returns to the bench.

DIVISION ONE (Continued)

B182302 Wendel Zeller
 v.
 Siemens Transportation Systems, Inc.

Merits:
Argued by appellant Wendel Zeller in propria persona and by Sarvenaz Bahar for respondent. Cause submitted.

B185658 Morris Getzels et al.
B188925 v.
 Grail Technology Pte., Ltd.,
 Robert Stern

Merits:
Argued by Jeffrey B. Harrison for defendants-appellants and by Lyle R. Mink for plaintiffs-appellants. Cause submitted.

B180152 Joe Zelman et al.
 v.
 Colonial Penn Insurance Co.

Merits:
Argued by Steven Zelig for appellants and no appearance for respondent. Cause submitted.

Rothschild, J., leaves the bench.

B181183 Rama R. Maline
 v.
 Terry Baisz et al.

Merits:
Argued by Joshua Willis for appellant and by Curtis A. Valenzuela for respondents. Cause submitted.

DIVISION ONE (Continued)

B183552 Don Matos
 v.
 The Art Institute

Merits:

Argued by Thomas J. Gray for appellant and by Reed E. Schaper for respondent. Cause submitted.

Court adjourned.

B178957 People v. Carols (Certified for Publication)
B184737 In re Carlos on Habeas Corpus

The judgment is reversed and the cause is remanded for a new trial. The petition is dismissed as moot.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Rothschild, J.

B182590 Blasucci (Not for Publication)
 v.
 Wieder

The judgment is affirmed. Wieder is awarded his costs of appeal.

Vogel (Miriam A.), J.

We concur: Mallano, Acting P.J.
 Rothschild, J.

April 19, 2006 (Continued)

DIVISION ONE (Continued)

B182760 People (Not for Publication)
v.
Lofton

The judgment is affirmed.

Mallano, Acting P.J.

I concur: Rothschild, J.
I concur in judgment only: Vogel (Miriam A.), J.

[illegible]

The judgment is affirmed.

Mallano, J.

I concur: Spencer, P.J.
I concur in judgment only: Vogel (Miriam A.), J.

B183767 People (Not for Publication)
v.
Anderson

The judgment is affirmed.

Rothschild, J.

We concur: Vogel (Miriam A.), Acting P.J.
Mallano, J.

April 19, 2006 (Continued)

DIVISION ONE (Continued)

B182118 Brooks (Not for Publication)
v.
County of Los Angeles

The order is affirmed.

Rothschild, J.

We concur: Mallano, Acting P.J.
 Vogel (Miriam A.), J.

B189511 Breeden (Not for Publication)
v.
Superior Court, Los Angeles County
(Acheson, r.p.i.)

THEREFORE, let a peremptory writ issue, commanding respondent superior court to vacate its order of February 1, 2006, denying the alternative motion to stay and to issue a new order staying Los Angeles Superior Court case No. SC086260, entitled *Richard M. Acheson v. John Breeden*, until the Hawaii action is concluded. If jurisdiction remains an issue, it may be considered anew by the trial court at that time. All parties shall bear their own costs.

Spencer, P.J. Vogel (Miriam A.), J. Rothschild, J.

B175530 Armenta (qui tam) et al.
v.
Mueller Co. et al.

Filed order vacating submission order of February 22, 2006. A new panel member is substituted in and the panel is now comprised of Presiding Justice Vaino Spencer, Associate Justices Miriam Vogel and Robert Mallano. The matter will be placed on the May 23, 2006 calendar, unless the parties stipulate that Justice Vogel may review the briefs and audio recording of the oral argument, and participate in rendering the decision without further argument. The parties are directed to notify the court in writing no later than May 1, 2006.

DIVISION TWO

B172699 Cedars-Sinai Medical Center
v.
Bonta

Filed order denying petition for rehearing.

DIVISION THREE

B182209 People (Not for Publication)
v.
Miguel Ayala Jr.

The judgment is modified to strike the parole revocation fine imposed pursuant to section 1202.45 and, as so modified, affirmed.

Klein, P.J.

We concur: Croskey, J.
Kitching, J.

B184490 Los Angeles County, D.C.S. (Not for Publication)
B185960 v.
B189465 Manuel V.
B189193 Doreen A.
v.
S.C.L.A.

Mother's appeal from the denial of her petition for modification is dismissed as moot. The order terminating father's parental rights is affirmed. Paternal grandmother's petition for extraordinary writ is denied.

Croskey, Acting P.J.

We concur: Kitching, J.
Aldrich, J.

April 19, 2006 (Continued)

DIVISION FOUR

B180632 People v. Sallam (Not for Publication)

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Hastings, J. (Assigned)

B183256 People (Not for Publication)
v.
Millan

The judgment is modified to stay the 90-day sentence for count 5. The trial court is directed to amend the abstract of judgment to reflect the modification and to forward a certified copy of the abstract of judgment to the California Department of Corrections and Rehabilitation and in all other respects the judgment is affirmed

Hastings, J.

We concur: Epstein, P.J.
Willhite, J.

DIVISION SIX

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| B176315 | M & H Glass Enterprises, et al. v. Tischler, et al. | (Not for Publication) |
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The judgment is affirmed. Costs on appeal are awarded to respondents.

Coffee, J.

We concur: Gilbert, P.J.
 Perren, J.

DIVISION SIX (Continued)

B185388 Frederick G. (Not for Publication)

v.

John B.

In re Adoption of Amanda B., a Minor.

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

B186628 People (Not for Publication)

v.

Stevens

The order is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
 Perren, J.

B181614 People (Not for Publication)

v.

Edison

The abstract of judgment is modified to reflect the \$50 lab analysis fee and the \$20 court security fee. The clerk of the superior court is ordered to prepare and forward an amended abstract of judgment to the Department of Corrections. As modified, the judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
 Perren, J.

April 19, 2006 (Continued)

DIVISION SIX (Continued)

B184771 People (Not for Publication)
v.
Luna

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B188541 People (Not for Publication)
v.
Romano

The order is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B184577 Miller (Not For Publication)
v.
Schneider

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B177978 California Water Network, et al. (Not for Publication)
v.
Castaic Lake Water Agency, et al.

Filed order modifying opinion. (No change in the judgment)

April 19, 2006 (Continued)

DIVISION SIX (Continued)

B178115 People (Certified for Publication)
v.
Carrasco

Filed order modifying opinion. (No change in the judgment)

DIVISION SEVEN

B186174 People (Not for Publication)
v.
Evelyn G.

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.